

Remark

The Examiner is thanked for the 30-day extension of time provided to address how the newly added claims 49-52 are distinct over the prior art of record.

No Claims have been canceled. No new matter has been added. Accordingly, claims 1-52 are pending in the present application. Applicant respectfully requests reconsideration of the present application in light of the amendments and remarks herein.

Claims 1-40 are rejected under 35 U.S.C. §103(a) as being unpatentable over Pauley (U.S. Patent No. 5,633,865) and Klosterman (U.S. Patent No. 5,828,945).

Claims 49-52 were meant to be included as a grouping that overcomes the prior art for similar reasons as those discussed with reference to claims 1-48 and is addressed here as a formality to address this oversight.

Newly added claims 49-52 state, in part, “a user specifying a program; displaying a plurality of sources that are capable of providing the specified program; the user selecting a source from the displayed plurality of sources; and providing the specified program from the selected source.”

The present invention displays to the user a list of all sources available for providing the user-specified show selection. If a user specifies that he wants to watch, for instance, “Show A”, an embodiment of a system according to the invention hooked up to cable, DSS and local programming could then prompt the user in a *channel source selection menu* (Figure 4) with a list showing that “Show A” is being provided on Channel 4 from local programming, channel 92 from cable programming and channel 125 from DSS programming, etc.

In contrast, Pauley fails to teach or suggest that a user may select a source from a plurality of sources capable of providing a user-specified show selection. Pauley teaches a system capable of displaying a main picture and a PIP (picture-in-picture). Each of the two pictures may be supplied from various sources, such as a VCR, DVD, cable, etc. However, Pauley's system is quite distinct from the present invention. In Pauley, a sequential list may be browsed where each item in the list rotates (depending on if the Pauley system is in preview or review mode) through the two picture displays. The sequential list is a list of channels or shows. Each of the channels or shows in the list is provided by a specific and designated source for that item in the sequential list, but there is no teaching of the user selecting a source for a show where the show is provided by multiple sources as taught in the present invention. For instance, the user can scroll through the Pauley list until he sees "Show A" on the screen, which he can then select and watch.

Consequently, Pauley fails to teach or suggest "a user specifying a program; displaying a plurality of sources that are capable of providing the specified program; the user selecting a source from the displayed plurality of sources; and providing the specified program from the selected source." as required by new claims 49-52.

Klosterman also fails to teach the claimed invention. Klosterman is concerned with merging schedule information provided by multiple sources into one schedule. Then, when a user selects a program or channel, "the system (10) then carries out an automatic switching/tuning such that the required source device (26, 28, 30 or 34) is input to the destination device (22), and a tuner is then tuned to the selected program's channel

(52)." (Abstract) There is no teaching or suggestion in Klosterman that a plurality of sources is displayed in response to a user-specified show selection.

Pauley and Klosterman, alone and in combination, fail to disclose a system whereby a user may choose a show or channel and then choose between a plurality of sources that provide that show or channel as disclosed in amended independent claim 49.

Accordingly, Applicant respectfully submits that amended independent claim 49 as well as its respective added dependent claims 50-52 are patentable over Pauley in view of Klosterman.

Applicant respectfully submits that the rejections have been overcome and the claims are now in condition for allowance. Allowance of the claims is respectfully requested.

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of this application, the Examiner is invited to contact the undersigned at (303) 740-1980.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: June 1, 2001



Mark J. Fink
Reg. No. 45,270

12400 Wilshire Boulevard
7th Floor
Los Angeles, California 90025-1026
(303) 740-1980